

article shipped into the State of Massachusetts, was additionally labeled in part: (Shipping carton) "Rubbing Alcohol Compound Alcohol -70%—."

Analyses showed that the article shipped into the State of Massachusetts consisted essentially of alcohol (2 percent), small proportions of glycerin, formaldehyde, and perfume, and water; and that the article shipped into the State of New Jersey consisted essentially of isopropyl alcohol (2.1 percent) and water.

Adulteration of the article, in the case in the District of Massachusetts, was charged under the allegation that its strength fell below the professed standard under which it was sold, namely, "Rubbing Alcohol Compound —70%—."

Misbranding was charged in the case in the District of Massachusetts (a) under the allegation that the bottle label bore the statement, "Alcohol-Rub * * * Endorsed by the Medical Profession", and that the said statement was false and misleading in that the article contained an insignificant proportion of alcohol and in that the medical profession, as a whole, had not endorsed the article; (b) under the allegation that a shipping carton bore the statement, "Rubbing Alcohol Compound Alcohol —70%—", and that the statement was false and misleading; and (c) under the allegation that the package failed to bear on its label a statement of the quantity or proportion of alcohol contained therein.

Misbranding of the article in the case in the District of New Jersey was charged in that the bottle label bore the statement, "Alcohol-Rub * * * Endorsed by the Medical Profession", and that the said statement was false and misleading in that it created the impression that the article consisted essentially of alcohol; when, in fact, it consisted largely of water with a small proportion of isopropyl alcohol, and in that the medical profession, as a whole, had not endorsed the article. Misbranding of the article in that case was further charged in that the package failed to bear on its label a statement of the quantity or proportion of isopropyl alcohol contained therein.

On February 7 and March 16, 1936, no claimant having appeared in either case, default decrees of condemnation, forfeiture, and destruction were entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25846. Adulteration and misbranding of Papine. U. S. v. 71 Bottles of Papine, and another libel proceeding against the same article. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36705, 36922. Sample nos. 41776-B, 52308-B.)

This article failed to conform to its professed standard and its label bore erroneous statements concerning the quantities of its ingredients.

On December 6, 1935, the United States attorney for the Northern District of Alabama, and on January 9, 1936, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in their respective district courts a libel praying seizure and condemnation of 47 bottles of Papine at Birmingham, Ala., and 71 bottles thereof at New Orleans, La., respectively, alleging in the case in the Northern District of Alabama, that the article had been shipped in interstate commerce on or about November 7, 1935, by Battle & Co., from St. Louis, Mo., to Birmingham, Ala., and in the case in the Eastern District of Louisiana, that the article had been shipped on or about December 12, 1935, also by Battle & Co., from St. Louis, Mo., to New Orleans, La., and charging, in each case, adulteration and misbranding in violation of the Food and Drugs Act. The article in each case was labeled in part: (Bottle) "Morphine, 1 Grain Per Ounce, Chloral Hydrate, 2 1-10 Gr. Per Oz."

Analysis showed (with respect to the shipment into Alabama) that the article contained 0.8 grain of morphine and 3.4 grains of chloral hydrate per fluid ounce; and (with respect to the shipment into Louisiana) that the article contained 0.77 grain of morphine and 3.13 grains of chloral hydrate per fluid ounce.

Adulteration of the article in each case was charged, under the allegation that its strength and purity fell below the professed standard or quality under which it was sold, namely, "Morphine, 1 Grain Per Ounce, Chloral Hydrate, 2 1-10 Gr. Per Oz."

Misbranding in each case was charged under the allegation that the label of the article bore the statement, "Morphine, 1 Grain Per Ounce, Chloral Hydrate, 2 1-10 Gr. Per Oz.", and that said statement was false and misleading.

On January 16 and February 4, 1936, no claimant having appeared in either case, default decrees of condemnation, forfeiture, and destruction were entered.

W. R. GREGG, *Acting Secretary of Agriculture.*